Safety Review Committee
March 21, 2003
10:00 AM – 12:00 PM

Minutes

Members Present
Dennis Collins, Ben Feinberg (Chair), Ken Fletcher, Mack Kennedy, Ed Lampo (Secretary), Peter Lichty, Othon Monteiro, Linda Wuy (by Karen Ramorino), Hisao Yokota
Members Absent
Joel Ager, Michael Banda, Sharon Doyle, Richard Kadel, Don Lucas, Steve Lundgren, Augusto Macchiavelli, Linfeng Rao, Linda Smith, Scott Taylor, Weyland Wong
Others Present
Don Bell, John Chernowski, Bruce King, Tamas Torok, Robin Wendt, Otis Wong

Previous Minutes

The meeting was called to order at 10:00 AM by Ben Feinberg, SRC chair. The minutes of last month were discussed. Robin Wendt commented that another $1.5 million is being provided for the Legacy Waste project. The minutes of the February 21, 2003 meeting were accepted as submitted.

Ergo Matching Grants

- The EETD Ergonomic Upgrade requests were approved at the February SRC meeting.
- Earth Sciences Division has completed an inspection of computer workstations and expects to submit the request, soon.
- Life Sciences has not completed their submittal so far. The SRC secretary will check with them.

MESH Schedule Determinations

The SRC agreed to consider the following indicators in determining the interval between each Division's MESH Reviews:

1. Performance on the most recent MESH Review
   - Number and severity of concerns
   - Number of noteworthy practices
2. Presentation to SRC by Division Management
   - Willingness to address concerns
3. Feedback from the ISM Board
   - Actions taken to address concerns
   - Recommendations of ISM panel

Workers' Compensation Costs at LBNL

Peter Lichty presented recent data on Wokers Compensation: The Financial Cost of Worksite Accidents. For the third quarter of FY2002 the charge to LBNL for Workers Comp insurance was $5 per $100 of payroll; a 40% increase from the year before. The claim rate has been decreasing but the cost per claim has dramatically increased during this period. Medical cost have increased at a rate of 12% per year since 1994. Recent legislation (e.g, AB749) will further increase costs in 2003. The insurance charge is based upon balancing the reserves

necessary for expected payments. In 2001 these reserves were allowed to dip somewhat and now require additional premiums to reinstate. Follows is an outline of Peter Lichty's presentation.

1. **Finance versus OSHA**

Financial

- Frequency
  - Medical Only
  - Indemnity
  - Estimated cost per $100 payroll.
- Severity
  - Cost
  - Reserves
  - Future Medical
- Predictive

OSHA

- Frequency
  - Recordable injuries and illnesses
  - Number per 200,000 person-hours worked.
- Retrospective

2. **What are the Cost Factors?**
   - Medical treatment
   - Temporary disability payments (income replacement)
   - Permanent (partial) disability
   - Vocational rehabilitation
   - Death benefit/pension for survivors
   - Legal and administrative expenses
   - Cost Over Time

3. **Other Time Issues**
   - "Green" claims less than 2 years old not used for rate setting.
   - Permanent (partial) disability payments not usually awarded for 3-6 years after injury.
   - UC Claims year starts June 1.
   - Loss experience reviewed every 6 months

4. **Predicting the Future**

Projected losses

- Number of open claims
- Experience with open claims (cost development)
- Projected exposure, defined as payroll
  - Surrogate for number of employees

- Statewide experience
  - New types of claims
  - Loss development
- Current reserve status (surplus/deficit)
  - LBNL last year -$95,000
  - LBNL this year +$365,000
- LBNL Rate Experience
- UC Experience

5. Societal Factors

- Medical progress generates new treatments, sometimes costing more money.
  - Intradiscal electrothermal thermocoagulation
  - Synvisc injections
  - Pain management, implanted pumps
- Aging population is more prone to cumulative musculoskeletal disorders.
- Benefits increases being proposed every legislative session.

6. Moral of the Story

- Accident experience directly impacts the cost of running the Laboratory.
- Total cost is even higher, because workers' compensation costs do not include the cost of pain and suffering, lost productivity, replacement workers, etc.
- Prevention saves money and prevents suffering!

Institutional Biosafety Committee (IBC)

Tamas Torok, chair of Berkeley Lab's IBC, discussed some of the areas covered by IBC and their responsibilities. An outline of his presentation, *"Past, Present and Future of the IBC at Berkeley Lab"*, follows.

Historical view

- cloning experiments in the early 1970s lead to a moratorium
- Asilomar-2 meeting in February 1975 lead to the NIH Guidelines for Recombinant DNA Research
- NIH Guidelines require that an Institutional Biosafety Committee be established

Reasons to have an IBC at LBNL

- NIH is a major funding source
- DOE requires institutional safety and security oversight of bioresearch
  biological select agent regulation

NIH funding

- LBNL is a soft-money environment for bioresearchers
- 68% of LSD/PBS founds are from NIH

DOE safety and security oversight

- BioAgents Notice, FMC 360 (2001) covers all bioresearch that includes "potential etiologic agents"
- bioresearch spreads to 5 research divisions and two facilities (ALS and JGI)

Biological select agent regulation

- 42 CFR 72.6 (1996) regulated transfer of biological select agents
- new regulation (42 CFR 73, February 7, 2003) regulates possession, use, and transfer

Biosafety at LBNL

- before 1995
- IBC established (1996)
- Berkeley Lab Policy on Pathogens (April 1997)
- Biosafety Manual, biosafety training program (class room and web based)
  - EHS 739 General biosafety training
  - EHS 730 Medical/biohazardous waste training
  - EHS 735/738 Bloodborne pathogens training
- exponential increase of registrations
- IBC registered with NIH/OBA in 2002

IBC mission

- committed to safe, ethical, and meaningful conduct of bioresearch

Institutional charge of IBC

- "…all research and development activities with potentially hazardous biological materials (infectious agents, tissue culture cells, animals, recombinant DNA or RNA, biotoxins, and material of human origin) must be registered with and approved (as necessary) by the IBC…"

Current situation

- PI registers project that involves biological agent(s) by filling in the Biosafety Registration Form
- EH&S representatives work with the PI
- If risk group 1 biological agents or exempt recombinant DNA research, the chair or BSO reviews form, signs, and notifies IBC
- If risk group 2 or higher biological agents, USDA pathogens, and non-exempt recombinant DNA research, the application gets full IBC review and approval

IBC membership

- 14 voting members
- 12 represent every Division where bioresearch is conducted (EH&S included)
- 2 members are not affiliated with LBNL and represent the community
- guests

Meeting schedule

- four times a year (or more often if needed)
- meetings are open to the public
- minutes are available upon request

IBC review process includes

- information gathering
- cross checking risk groups and suggested biosafety containment levels
- reviewing research goals, protocols, facilities and equipment, training records

Approval process results in

- send back application for more information
- conditional approval requesting further clarification
- approved, BUA issued

Current problems

- need for a biosafety registration is not included in PUB 3000
- IBC is not listed among the committees
- many PIs are hesitant
- long list of backlog
- how do we reach PIs?
- user facilities carry special circumstances
- need technical member(s) in IBC

Future challenges and directions

- new developments in bioresearch and societal concerns continuously challenge the freedom of science and the ethical conduct of research
- these challenges require the continuing education of IBC members
- we need to roll out a notification/application process that is beneficial to PIs, streamlines the IBC process, and still provides a safe and secure environment for bioresearch
- IBC needs to work with the community to alleviate the impact of a perception-influenced research policy making by the decision makers

Ben asked if there have been any recent or expected changes in biosafety training? Bruce King answered, no -- but recently more people are being notified to check and verify their Job Hazard Questionnare (JHQ) profile. Tamas pointed out that training is an ongoing need and the Lab is trying to make the training more accessible -- it is now on the web.

The meeting was adjourned at 11:52 AM.

Respectfully submitted,

Edward J. Lampo
SRC Secretary